

Senate File 404

AN ACT
RELATING TO THE CERTIFICATION AND REGULATION OF SHORTHAND
REPORTERS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 602.3105, Code 2015, is amended to read as follows:

602.3105 Applications.

Applications for certification shall be on forms prescribed and furnished by the board and the board shall not require that the application contain a photograph of the applicant. An applicant shall not be denied certification because of age, citizenship, sex, race, religion, marital status, or national origin although the application may require citizenship information. ~~The board may consider the past felony record of an applicant.~~ Character references may be required, but shall not be obtained from certified shorthand reporters.

Sec. 2. NEW SECTION. 602.3108 Certification.

The board may issue a certificate to a person of good moral character and fitness who makes application on a form prescribed and furnished by the board and who satisfies the education, experience, and examination requirements of this article and rules prescribed by the supreme court pursuant to this article. The board may consider the applicant's past record of any felony conviction and the applicant's past record of disciplinary action with respect to certification as a shorthand reporter in any jurisdiction. The board may deny certification if the board finds the applicant has committed any of the acts listed in section 602.3203 or has made a false statement of material fact on the application for certification.

Sec. 3. Section 602.3203, Code 2015, is amended by adding the following new subsection:

NEW SUBSECTION. 8. Noncompliance with section 602.3204.

Sec. 4. NEW SECTION. 602.3204 Transcript integrity.

A certified shorthand reporter taking a deposition, or any other person with whom the certified shorthand reporter has a principal-agent or employer-employee relationship, shall not enter into an agreement for reporting services that requires the certified shorthand reporter to relinquish control of an original deposition transcript and copies of the transcript before it is certified and delivered to the custodial attorney.

Sec. 5. NEW SECTION. 602.3205 Audio recordings.

1. Except as provided in subsection 2 or 3, a certified shorthand reporter's audio recordings used solely for the purpose of providing a verbatim written transcript of a court proceeding or a proceeding conducted in anticipation of use in a court proceeding shall be considered the personal property and private work product of the certified shorthand reporter.

2. An audio recording of a certified shorthand reporter appointed under section 602.6603 shall be provided to the presiding judge or chief judge for an in-camera review upon court order for good cause shown.

3. *a.* An audio recording of a certified shorthand reporter shall be provided to the board upon request by the board if a disciplinary proceeding is pending regarding the certified shorthand reporter who is a respondent under the provisions of section 602.3203 or the rules of the board of examiners of shorthand reporters, Iowa court rules, ch. 46.

b. The audio recordings provided in this subsection shall

be kept confidential by the board in a manner as provided in section 272C.6, subsection 4.

PAM JOCHUM
President of the Senate

KRAIG PAULSEN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 404, Eighty-sixth General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

Approved _____, 2015

TERRY E. BRANSTAD
Governor